In theHigh Court for the States of Punjab and Haryana, at Chandigarh.

C.R. No. 4389 of 2007
Decided on August 28,2007.

Sandeep Kumar Petitioner

v.

Manisha Respondent

Present: Mr.Bijender Dhankar,Advocate,for the petitioner

Rajesh Bindal J:(Oral)

Challenge in this petition, filed under Article 227 of the Constitution of India, is to set aside order dated July 23,2007, passed by Additional District Judge, Jhajjar, fixing interim maintenance of Rs. 2000/- p.m. for the wife and Rs. 1000/- p.m. for the minor daughter.

Learned counsel for the petitioner states that the petitioner is getting merely Rs. 3500/- p.m. as carry home salary and he is to maintain his parents as well. Accordingly, the order of interim maintenance granted by the Court below is on the higher side. To substantiate his plea regarding his carry home salary, he could not deny the fact that he did not produce any material on record with the trial Court. It is not disputed that the petitioner is employed in Indian Navy. His salary was assessed at Rs.9000/- p.m. He also did not deny the fact that his family owns 8 acres of agricultural land.

Considering the present cost of living, in my opinion, maintenance of Rs.3000/- p.m. for the wife and minor daughter, is not on the higher side.

Accordingly, the petition is dismissed in limine.

Aug 28,2007 **(Rajesh Bindal)**
RR **Judge**